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**TRANSMITTAL  
FORM**

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ATTENTION TO TRADEMARK OFFICE

JUN 05 2002

Total Number of Pages in This Submission

16

Application Number	09/783,254
Filing Date	February 13, 2001
First Named Inventor	SIRHAN, Motasim et al.
Group Art Unit	3738
Examiner Name	PHAN, Hieu

Attorney Docket Number

020460-000930US

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## Remarks

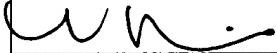
The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

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JUN 12 2002

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Nena Bains	Reg. No. 47,400
Signature		
Date	May 23, 2002	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

May 23, 2002

Typed or printed name	Kimberly Badiei		
Signature		Date	May 23, 2002

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PA 3224763 v1

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# FEE TRANSMITTAL for FY 2001

Fees are subject to annual revision.

## TOTAL AMOUNT OF PAYMENT

(\$ 51)

Complete If Known	
Application Number	09/783,254
Filing Date	February 13, 2001
First Named Inventor	SIRHAN, Motasim et al.
Examiner Name	PHAN, Hieu
Group Art Unit	3738
Attorney Docket No.	020460-000930US

METHOD OF PAYMENT	
<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
Deposit Account Number	20-1430
Deposit Account Name	Townsend and Townsend and Crew LLP
<input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	
2. <input type="checkbox"/> Payment Enclosed:	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other	

FEE CALCULATION				
1. BASIC FILING FEE				
Large	Entity	Small	Entity	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee
SUBTOTAL (1)				(\$)
2. EXTRA CLAIM FEES				
Total Claims	63	-62**	= 1	Extra Claims Fee from below Fee Paid
Independent Claims	6	-5**	= 1	X \$9 = \$9
Multiple Dependent				X \$42 = \$42
X =				
Large	Entity	Small	Entity	
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$51)

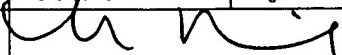
\*\*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)				
3. ADDITIONAL FEES				
Large	Entity	Small	Entity	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	400	216	200	Extension for reply within second month
117	920	217	460	Extension for reply within third month
118	1,440	218	720	Extension for reply within fourth month
128	1,960	228	980	Extension for reply within fifth month
119	320	219	160	Notice of Appeal
120	320	220	160	Filing a brief in support of an appeal
121	280	221	140	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive – unavoidable
141	1,280	241	640	Petition to revive – unintentional
142	1,280	242	640	Utility issue fee (or reissue)
143	460	243	230	Design issue fee
144	620	244	310	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Petitions related to provisional applications
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))
179	740	279	370	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application
Other fee (specify)				
The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.				
*Reduced by Basic Filing Fee Paid				
SUBTOTAL (3)				(\$)

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SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Nena Bains	Registration No. (Attorney/Agent)	47,400	Telephone	650-326-2400
Signature				Date	May 23, 2002

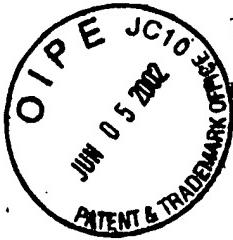
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ORIGINALLY FILED

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Washington, D.C. 20231 On May 23, 2002

PATENT #9  
Attorney Docket No.: 020460-000930US  
Client Ref.: 143.09



TOWNSEND and TOWNSEND and CREW LLP

By:

Kimberly Badie

Kimberly Badie

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SIRHAN, Motasim ET AL.

Application No.: 09/783,254

Filed: February 13, 2001

For: INTRAVASCULAR DELIVERY  
OF MIZORIBINE

Examiner: PHAN, Hieu

Art Unit: 3738

RESPONSE TO RESTRICTION  
REQUIREMENT AND PRELIMINARY  
AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed April 26, 2002, please enter and consider the following amendments and remarks.

IN THE CLAIMS:

Please amend claims 38-43, 45, 46-49, and 51 and add new claim 60 as follows. A marked-up version of the amendments as well as a clean version of all pending claims is shown in the attached Appendix.

38. (Amended) A method as in claim 60, wherein mizoribine is released at a rate between 5 µg/day to 200 µg/day.

06/10/2002 NM0HAMM1 00000148 201430 09783254

01 FC:203 9.00 CH  
02 FC:202 42.00 CH

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